

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED****SEP 27 1966**

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed **SEP 27 1966**The applicant **Art McKay**of **Woodburn**, County of **Marion**State of **Oregon**, hereby makes application for permission to change the
point of diversion and place of use

of water heretofore appropriated under permit #23167

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is **Underground**
(Name of stream, lake or other source.)
2. The amount of water to be changed **4.5 c.f.s.**
(Second feet, acre feet.)
3. The water to be used for **irrigation and domestic**
(If for stock state number and kind of animals.)
4. The water heretofore used for **irrigation and domestic**
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point **in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.12, T35N,R23E,
MDB&M, from which the N.W. Corner of said Sec.12 bears N.63°30'W
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
2,938 feet.**
6. The existing point of diversion is located within **Lot 5, Sec.1, T35N,R23E,MDB&M,
at a point from which the N.W. corner of said Sec. 1 bears N.
(If point of diversion is not changed, do not answer.)
1°44'09" W., 660.30 feet.**
7. Proposed place of use **Lots 2, 3, and 5, Section 1. T.35N,R.23E,
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
MDB&M and the W $\frac{1}{2}$ NE $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, T36N,R23E,MDB&M.**
8. Existing place of use **Lots 2, 3, and 5, Sec.1, T35N,R23E,MDB&M; the
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T36N,R23E,
MDB&M.**
9. Use will be from **January** to **December** of each year.
(Month) (Month)
10. Use has been from **January** to **December** of each year.
(Month) (Month)

11. Description of proposed works.

Well, pump and pipelines.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works.....\$15,000.00

13. Estimated time required to construct works.....5 years.

14. Remarks.....This transfers only the water applying to the Art McKay lands, not that appurtenant to Viola McKay, under Permit No. 23167. The well this is being change to is under permit No. 21970.

Compared.....ja/.....hs/jw.....Applicant.....Art McKay
Pro. 2/9/67 by Rex & Ethel Clemens.....
Protest overruled, 12/1/67;.....By.....S/ Walter G Reid
Ruling No. 1024.....State Water right Surveyor

.....APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the

following limitations and conditions: This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 23167 is issued subject to the terms and conditions imposed in said Permit 23167 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening, an air line and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times. The total combined amount of water granted under this permit and Permit 21970 is limited to what the well covered under the two permits is capable of producing. If Certificates of Appropriation are issued under this permit and Permit 21970, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....4.5.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....March 13, 1968

Proof of commencement of work shall be filed before.....April 13, 1968

Work must be prosecuted with reasonable diligence and be completed on or before.....March 13, 1968

Proof of completion of work shall be filed before.....April 13, 1968

Application of water to beneficial use shall be made on or before.....March 19, 1972

Proof of the application of water to beneficial use shall be filed on or before.....April 19, 1972

Map in support of proof of beneficial use shall be filed on or before.....April 19, 1972

Commencement of work filed.....Aug 5, 1968

Completion of work filed.....Aug 5, 1968

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of December

A.D. 1967.....*Roland D. Westergard*.....State Engineer

CANCELLED JUL 24 1974 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard.....STATE ENGINEER